

The question being put, viva voce,
Will the House now order the previous question?

The SPEAKER pro tempore, Mr. EWING, announced that the yeas had it.

Ms. SLAUGHTER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 252
Nays 174

¶67.10 [Roll No. 277]
YEAS—252

Aderholt	Gekas	Miller (FL)
Archer	Gibbons	Mollohan
Armey	Gilchrest	Moran (KS)
Bachus	Gillmor	Murtha
Baker	Goodlatte	Myrick
Ballenger	Goodling	Nethercutt
Barcia	Goss	Neumann
Barr	Graham	Ney
Barrett (NE)	Granger	Northup
Bartlett	Gutknecht	Norwood
Barton	Hall (OH)	Nussle
Bass	Hall (TX)	Oberstar
Bateman	Hamilton	Ortiz
Bereuter	Hansen	Oxley
Berry	Hastert	Packard
Bilbray	Hastings (WA)	Pappas
Bilirakis	Hayworth	Parker
Bliley	Hefley	Paul
Blunt	Herger	Paxon
Boehner	Hill	Pease
Bonilla	Hilleary	Peterson (MN)
Bono	Hobson	Peterson (PA)
Brady (TX)	Hoekstra	Petri
Bryant	Holden	Pickering
Bunning	Horn	Pitts
Burr	Hostettler	Pombo
Burton	Houghton	Portman
Buyer	Hulshof	Poshard
Callahan	Hunter	Pryce (OH)
Calvert	Hutchinson	Quinn
Camp	Hyde	Radanovich
Campbell	Inglis	Rahall
Canady	Istook	Ramstad
Cannon	Jenkins	Redmond
Chabot	Johnson (WI)	Regula
Chambliss	Johnson, Sam	Riggs
Chenoweth	Jones	Riley
Christensen	Kanjorski	Roemer
Coble	Kasich	Rogers
Coburn	Kildee	Rohrabacher
Collins	Kim	Ros-Lehtinen
Combest	King (NY)	Roukema
Cook	Kingston	Royce
Cooksey	Klecza	Ryun
Costello	Klink	Salmon
Cox	Klug	Sanford
Crane	Knollenberg	Saxton
Crapo	Kolbe	Scarborough
Cubin	Kucinich	Schaefer, Dan
Cunningham	LaFalce	Schaffer, Bob
Davis (VA)	LaHood	Sensenbrenner
Deal	Largent	Sessions
DeLay	Latham	Shadegg
Diaz-Balart	LaTourette	Shaw
Dickey	Lazio	Shimkus
Doolittle	Leach	Shuster
Doyle	Lewis (CA)	Skeen
Dreier	Lewis (KY)	Skelton
Duncan	Linder	Smith (MI)
Dunn	Lipinski	Smith (NJ)
Ehlers	Livingston	Smith (OR)
Ehrlich	LoBiondo	Smith (TX)
Emerson	Lucas	Smith, Linda
English	Manton	Snowbarger
Ensign	Manzullo	Snyder
Everett	Mascara	Solomon
Ewing	McCarthy (NY)	Souder
Fawell	McCollum	Spence
Foley	McCrery	Stearns
Forbes	McDade	Stenholm
Fossella	McHugh	Stump
Fowler	McInnis	Stupak
Fox	McIntosh	Sununu
Franks (NJ)	McIntyre	Talent
Frelinghuysen	McKeon	Tauzin
Gallegly	Metcalf	Taylor (MS)
Ganske	Mica	Taylor (NC)

Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton

Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller

White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—174

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost

Furse
Gejdenson
Gephardt
Gilman
Gordon
Green
Greenwood
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Skaggs
Lampson
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moran (VA)
Morella

Nadler
Neal
Obey
Oliver
Owens
Pallone
Pascrell
Pastor
Pelosi
Pickett
Pomeroy
Porter
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Kind (WI)
Skaggs
Slaughter
Smith, Adam
Lee
Spratt
Stabenow
Stark
Stokes
Strickland
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Townsend
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—8

Clyburn
Dingell
Gonzalez

Goode
McNulty
Moakley

Payne
Rogan

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. EWING, announced that the yeas had it.

Ms. SLAUGHTER demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 247
affirmative Nays 173

¶67.11 [Roll No. 278]
AYES—247

Archer	Granger	Pascrell
Armey	Gutknecht	Paul
Bachus	Hall (OH)	Paxon
Baker	Hall (TX)	Pease
Ballenger	Hamilton	Peterson (MN)
Barcia	Hansen	Peterson (PA)
Barr	Hastert	Petri
Barrett (NE)	Hastings (WA)	Pickering
Bartlett	Hayworth	Pitts
Barton	Hefley	Pombo
Bateman	Herger	Portman
Bereuter	Hill	Poshard
Berry	Hilleary	Pryce (OH)
Bilbray	Hobson	Quinn
Bilirakis	Hoekstra	Radanovich
Bliley	Holden	Rahall
Blunt	Hostettler	Ramstad
Boehner	Hulshof	Redmond
Bonilla	Hunter	Regula
Bono	Hutchinson	Riggs
Brady (TX)	Hyde	Riley
Bryant	Inglis	Roemer
Bunning	Istook	Rogers
Burr	Jenkins	Rohrabacher
Burton	John	Ros-Lehtinen
Buyer	Johnson (WI)	Roukema
Callahan	Johnson, Sam	Royce
Calvert	Jones	Ryun
Camp	Kanjorski	Salmon
Campbell	Kasich	Sandlin
Canady	Kildee	Sanford
Cannon	Kim	Saxton
Chabot	King (NY)	Scarborough
Chambliss	Kingston	Schaefer, Dan
Chenoweth	Klecza	Schaffer, Bob
Christensen	Klink	Sensenbrenner
Coble	Klug	Sessions
Coburn	Knollenberg	Shadegg
Collins	Kucinich	Shaw
Combest	LaFalce	Shimkus
Cook	LaHood	Shuster
Cooksey	Largent	Skeen
Costello	Latham	Skelton
Cox	LaTourette	Smith (MI)
Crane	Lazio	Smith (NJ)
Crapo	Leach	Smith (OR)
Cubin	Lewis (CA)	Smith (TX)
Cunningham	Lewis (KY)	Smith, Linda
Danner	Linder	Snowbarger
Davis (VA)	Lipinski	Snyder
Deal	Livingston	Solomon
DeLay	LoBiondo	Souder
Diaz-Balart	Lucas	Spence
Doolittle	Manton	Stearns
Doyle	Manzullo	Stump
Dreier	Mascara	Stupak
Duncan	McCarthy (NY)	Sununu
Dunn	McCollum	Talent
Ehlers	McCrery	Tauzin
Ehrlich	McHugh	Taylor (MS)
Emerson	McInnis	Taylor (NC)
English	McIntosh	Thomas
Ensign	McIntyre	Thornberry
Everett	McKeon	Thune
Ewing	Metcalf	Tiahrt
Fawell	Mica	Traficant
Foley	Miller (FL)	Turner
Forbes	Mollohan	Walsh
Fossella	Moran (KS)	Wamp
Fowler	Murtha	Watkins
Fox	Myrick	Watts (OK)
Franks (NJ)	Nethercutt	Weldon (FL)
Frelinghuysen	Neumann	Weldon (PA)
Gallegly	Ney	Weller
Ganske	Northup	White
Gekas	Norwood	Whitfield
Gibbons	Nussle	Wicker
Gilchrest	Oberstar	Wilson
Gillmor	Ortiz	Wolf
Goodlatte	Oxley	Young (AK)
Goodling	Packard	Young (FL)
Goss	Pappas	
Graham	Parker	

NOES—173

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra

Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell

Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Castle

Clay	Jackson-Lee	Pomeroy
Clayton	(TX)	Porter
Clement	Jefferson	Price (NC)
Condit	Johnson (CT)	Rangel
Conyers	Johnson, E.B.	Reyes
Coyne	Kaptur	Rivers
Cramer	Kelly	Rodriguez
Cummings	Kennedy (MA)	Rothman
Davis (FL)	Kennedy (RI)	Roybal-Allard
Davis (IL)	Kennelly	Rush
DeFazio	Kilpatrick	Sabo
DeGette	Kind (WI)	Sanchez
Delahunt	Kolbe	Sanders
DeLauro	Lampson	Sawyer
Deutsch	Lantos	Schumer
Dicks	Lee	Scott
Dixon	Levin	Serrano
Doggett	Lewis (GA)	Shays
Dooley	Lofgren	Sherman
Edwards	Lowe	Sisisky
Engel	Luther	Skaggs
Eshoo	Maloney (CT)	Slaughter
Etheridge	Maloney (NY)	Smith, Adam
Evans	Markey	Spratt
Farr	Martinez	Stabenow
Fattah	Matsui	Stark
Fazio	McCarthy (MO)	Stenholm
Filner	McDermott	Stokes
Ford	McGovern	Strickland
Frank (MA)	McHale	Tanner
Frost	McKinney	Tauscher
Furse	Meehan	Thompson
Gedjenson	Meeks (NY)	Thurman
Gephardt	Menendez	Tierney
Gilman	Millender-	Torres
Gordon	McDonald	Towns
Green	Miller (CA)	Upton
Greenwood	Minge	Velazquez
Gutierrez	Mink	Vento
Harman	Moran (VA)	Visclosky
Hastings (FL)	Morella	Waters
Hilliard	Nadler	Watt (NC)
Hinchey	Neal	Waxman
Hinojosa	Obey	Wexler
Hoolley	Olver	Weygand
Horn	Owens	Wise
Houghton	Pallone	Woolsey
Hoyer	Pastor	Wynn
Jackson (IL)	Pelosi	Yates
	Pickett	

NOT VOTING—14

Aderholt	Gonzalez	Meek (FL)
Capps	Goode	Moakley
Clyburn	Hefner	Payne
Dickey	McDade	Rogan
Dingell	McNulty	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶67.12 CHILD CUSTODY PROTECTION

On motion of Mr. CANADY, pursuant to House Resolution 499, the House considered the bill (H.R. 3682) to amend title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions.

When said bill was considered and read twice.

Pursuant to House Resolution 499, the following amendment, recommended by the Committee on the Judiciary, was considered as adopted:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Custody Protection Act".

SEC. 2. TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

"CHAPTER 117A—TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION

"Sec.

"2401. Transportation of minors to avoid certain laws relating to abortion.

"§ 2401. Transportation of minors to avoid certain laws relating to abortion

"(a) OFFENSE.—Except as provided in subsection (b), whoever knowingly transports an individual who has not attained the age of 18 years across a State line, with the intent such individual obtain an abortion, if in fact the requirements of a law, requiring parental involvement in a minor's abortion decision, in the State where the individual resides, are not met before the individual obtains the abortion, shall be fined under this title or imprisoned not more than one year, or both.

"(b) EXCEPTION.—The prohibition of subsection (a) does not apply if the abortion was necessary to save the life of the minor because her life was endangered by a physical disorder, physical injury, or physical illness, including a life endangering physical condition caused by or arising from the pregnancy itself.

"(c) CIVIL ACTION.—Any parent or guardian who suffers legal harm from a violation of subsection (a) may obtain appropriate relief in a civil action.

"(d) DEFINITIONS.—For the purposes of this section—

"(1) a law requiring parental involvement in a minor's abortion decision is a law—

"(A) requiring, before an abortion is performed on a minor, either—

"(i) the notification to, or consent of, a parent or guardian of that minor; or

"(ii) proceedings in a State court; and

"(B) that does not provide as an alternative to the requirements described in subparagraph (A) notification to or consent of any person or entity who is not described in that subparagraph;

"(2) the term 'minor' means an individual who is not older than the maximum age requiring parental notification or consent, or proceedings in a State court, under the law requiring parental involvement in a minor's abortion decision; and

"(3) the term 'State' includes the District of Columbia and any commonwealth, possession, or other territory of the United States."

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

"117A. Transportation of minors to avoid certain laws relating to abortion 2401."

After debate,

The previous question having been ordered by said resolution.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. SCOTT moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Custody Protection Act".

SEC. 2. TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 117 the following:

"CHAPTER 117A—TRANSPORTATION OF MINORS TO AVOID CERTAIN LAWS RELATING TO ABORTION

"Sec.

"2401. Transportation of minors to avoid certain laws relating to abortion.

"§ 2401. Transportation of minors to avoid certain laws relating to abortion

"(a) OFFENSE.—Whoever uses force or the threat of force to transport an individual who has not attained 18 years of age across a State line, with the intent that such individual obtain an abortion, and thereby knowingly abridges a State law requiring parental involvement in a minor's abortion decision, shall be fined under this title or imprisoned not more than 5 years, or both.

"(b) DEFINITIONS.—For the purposes of this section—

"(1) a law requiring parental involvement in a minor's abortion decision is a law—

"(A) requiring, before an abortion is performed on a minor, either—

"(i) the notification to, or consent of, a parent of that minor; or

"(ii) proceedings in a State court; and

"(B) that does not provide as an alternative to the requirements described in subparagraph (A) notification to or consent of any person or entity who is not described in that subparagraph;

"(2) an abridgement of the State law requiring parental involvement occurs if an abortion is performed on the minor, in a State other than the State where the minor resides, without the parental consent or notification, or the judicial authorization that would have been required by that law had the abortion been performed in the State where the minor resides;

"(3) the term 'parent' means—

"(A) a parent or guardian;

"(B) a legal custodian; or

"(C) a person standing in loco parentis who has care and control of the minor, and with whom the minor regularly resides who is designated by the law requiring parental involvement in the minor's abortion decision as a person to whom notification, or from whom consent, is required;

"(4) the term 'minor' means an individual who is not older than the maximum age requiring parental notification or consent, or proceedings in a State court, under the law requiring parental involvement in a minor's abortion decision; and

"(5) the term 'State' includes the District of Columbia and any commonwealth, possession, or other territory of the United States."

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new item:

"117A. Transportation of minors to avoid certain laws relating to abortion

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the nays had it.

Mr. SCOTT objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.